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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,277	12/27/2000	Jae-Lag Ma	8733.363.00	4729

30827 7590 10/22/2002

MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER

RUDE, TIMOTHY L

ART UNIT PAPER NUMBER

2871

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,277

Applicant(s)

MA ET AL.

Examiner

Timothy L Rude

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims

1. Claims 1-5 are canceled without prejudice. Claims 6-11 are added, necessitating new grounds of rejection.

Claim Objections

2. Claim 6 is objected to because of the following informalities: the recitation "a lower substrate on a lower substrate" fails to provide antecedent basis for "toward the lower polarizer". Appropriate correction is required.

For examination purposes, the recitation "a lower substrate on a lower substrate" will be interpreted as - - a lower substrate on a lower polarizer - - .

Drawings

3. The amendment filed 01 August 2002 cites a proposed drawing change, but the Examiner was unable to find any proposed drawing change in the file. Figures 1-4 should be designated by a legend such as --Prior Art-- or --Conventional Art-- (per Applicant's specification, page 6, lines 1-3) because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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4. New formal drawings are required in this application because 15 in Figures 5 and 7, appears as a blackened polarizer, 12, (not enabled) rather than a black coating on the polarizer or a black film printed on the polarizer (both enabled). Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

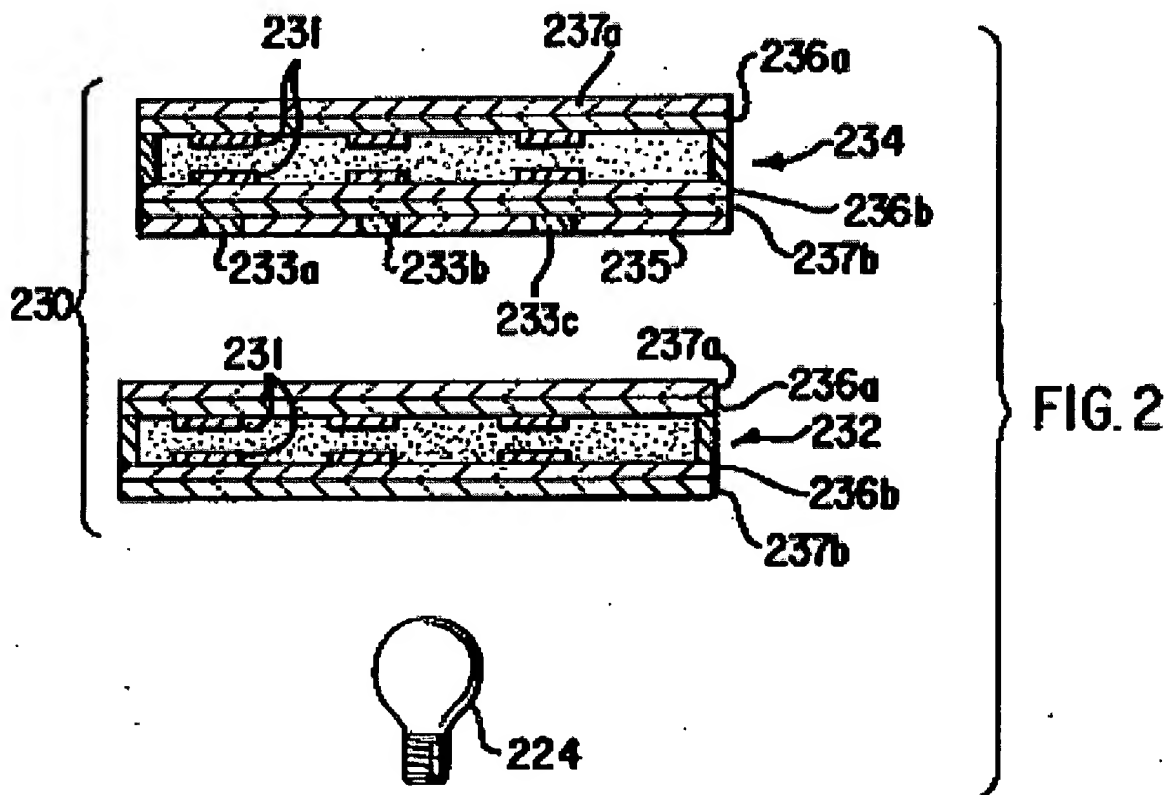
5. Claims 6-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Dingwall et al (Dingwall) USPAT 5,307,188.

As to claims 6, 9, 10, and 11, Dingwall teaches in Figures 2 and 3 (col. 5, lines 33-40 and col. 7, line 60 through col. 8 line 28), a liquid crystal display (LCD) device, comprising:
an upper polarizer, 237a; on an upper substrate, 236a;

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a lower substrate, 236b, on a lower polarizer, 237b, (Applicant's redundant lower substrate); a liquid crystal layer disposed between the upper substrate and the lower substrate; and a backlight device, 224, disposed opposite the lower polarizer for emitting light toward the lower polarizer (Figure 4);

wherein the lower polarizer includes at least one opaque surround or black mask, 235, (Applicant's light shielding film) in a peripheral portion, formed in the four peripheral sides of the lower polarizer (as illustrated in Figure 3) wherein the black mask absorbs light (col. 8, lines 29-33, and col. 13, lines 25 and 26).



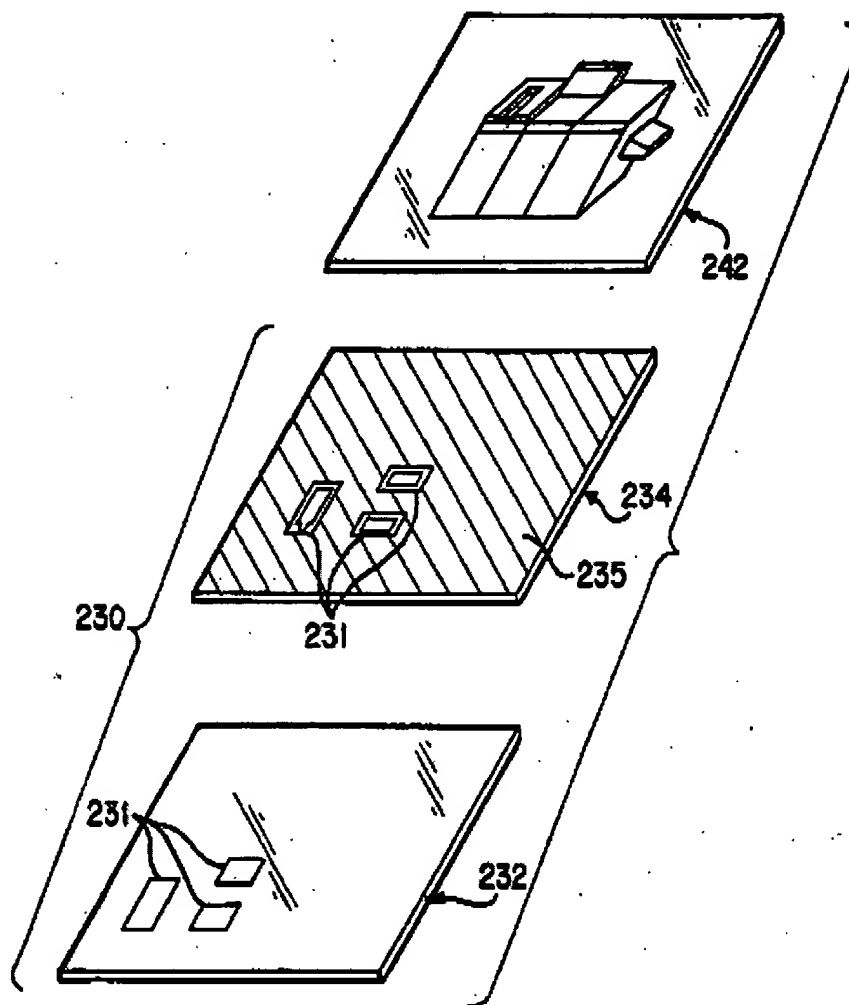


FIG. 3

As to claims 7 and 8, Dingwall teaches (col. 8, lines 11-28) a liquid crystal display (LCD) device of claim 1, wherein the at least one opaque surround or black mask, 235, (Applicant's light shielding film) is formed by a photographic process, by offset lithography (Applicant's coating), or by screen printing (Applicant's printed material) black mask materials that absorb the light (col. 8, lines 29-33, and col. 13, lines 25 and 26).

Response to Arguments

6. Applicant's arguments filed on 01 August 2002 have been fully considered but they are not persuasive.

Applicant's ONLY arguments are as follows:

- (1) -- Related Art -- fulfills the requirements of MPEP § 6.08.02(g).
- (2) Dingwall teaches a secondary LCD, 232.
- (3) The opaque surround, 235, of Dingwall is on the primary LCD, 234, while the light source, 224, is opposite the lower polarizer of the secondary display, 232.
- (4) Subject application teaches a backlight unit that is disposed opposite the lower polarizer, with the lower polarizer having a light shielding film.

Examiner's responses to Applicant's ONLY arguments are as follows:

- (1) It is respectfully pointed out that -- Related Art -- does not convey the prior art intent of MPEP § 6.08.02(g) because "Related" implies nothing about chronology. However, Examiner considers Applicant's recitations of "Conventional Art" on page 6, lines 1-3 to be sufficient to convey the prior art intent of MPEP § 6.08.02(g).
- (2) It is respectfully pointed out that Applicant's claims are in comprising format, so Dingwall may teach the use of a secondary LCD, 232.
- (3) It is respectfully pointed out that although the opaque surround, 235, of Dingwall is on the primary LCD, 234, while the light source, 224, is opposite the lower polarizer of the secondary display, 232, both the light source, 224, and the secondary

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display, 232, are opposite the lower polarizer, 237b, of the primary LCD, 234. The fact that there is a secondary display disposed between the light source, 224, and the primary LCD, 234, is not an issue due to the fact the claims are in comprising format.

(4) It is respectfully pointed out that Dingwall teaches a backlight unit, 224, that is disposed opposite the lower polarizer, 237b, with the lower polarizer having a light shielding film, 235, per rejections above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy L Rude whose telephone number is (703) 305-0418. The examiner can normally be reached on Monday through Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L Sikes can be reached on (703) 308-4842. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7725 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.



TLR
October 20, 2002

Timothy L Rude
Examiner
Art Unit 2871



TOANTON
PRIMARY EXAMINER